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Program Requirements

Overview

The Omnibus FY 1996 Appropriations Act, (Public Law 104–134), authorizes the Director of the Bureau of Justice Assistance (BJA) to make funds available to units of local government under the Local Law Enforcement Assistance Program, herein also referred to as Block Grants Program or Block Grants, for the purposes of reducing crime and improving public safety. BJA will make direct awards to units of local government individually that are eligible to receive \$10,000 or more. BJA will also make awards to States based on the allocation formula specified in the legislation.

This application kit provides program and application guidelines for State-administered FY 1996 Local Law Enforcement Block Grants.

Program Purpose Areas

Local Law Enforcement Block Grants Program funds may be used for one or more of the following seven purpose areas:

- Law enforcement support for:
 - ☐ Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel (if funds are used for hiring law enforcement officers, there must be a net gain over the unit of local government's current appropriated budget, in the number of law enforcement officers who perform nonadministrative public safety service).
 - ☐ Paying overtime to presently employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel.
 - ☐ Procuring equipment, technology, and other material directly related to basic law enforcement functions.
- Enhancing security measures in and around schools, and in and around any other facility or location that the unit of local government considers a special risk for incidents of crime.
- Establishing or supporting drug courts. To be eligible for funding, a drug court program must include the following:
 - ☐ Continuing judicial supervision over offenders with substance abuse problems, but who are not violent offenders.

- ❑ Integrating administration of other sanctions and services, which shall include:

(I) mandatory periodic testing of each participant for the use of controlled substances or other addictive substances during any period of supervised release or probation; (ii) substance abuse treatment for each participant; (iii) probation or other supervised release involving the possible prosecution, confinement, or incarceration because of noncompliance with program requirements or failure to show satisfactory progress; and (iv) programmatic, offender management and aftercare services such as relapse prevention, vocational job training, and job and housing placement.

- Enhancing the adjudication of cases involving violent offenders, including cases involving violent juvenile offenders. For the purposes of this program, violent offender means a person charged with committing a Part I violent crime under the Uniform Crime Reports.
- Establishing a multijurisdictional task force, particularly in rural areas, composed of law enforcement officials representing units of local government; this task force will work with Federal law enforcement officials to prevent and control crime.
- Establishing crime prevention programs involving cooperation between community residents and law enforcement personnel to control, detect, or investigate crime or the prosecution of criminals.
- Defraying the cost of indemnification insurance for law enforcement officers.

Funds or a portion of funds allocated under this title may be used to contract with private, nonprofit entities or community-based organizations to carry out the purposes of this Block Grants Program.

Prohibition on Use of Funds

Units of local government may not expend funds provided under the Local Law Enforcement Block Grants Program to purchase, lease, rent or acquire any of the following:

- Tanks or armored vehicles.
- Fixed-wing aircraft.
- Limousines.
- Real estate.
- Yachts.
- Consultants.
- Vehicles not primarily used for law enforcement.

In addition, Federal funds cannot be used to supplant State or local funds, but instead to increase the amount of funds that would be available otherwise from State and local sources.

Eligibility For Program Funds and Distribution of Awards

The Director of BJA will set aside funds for units of local government within a State. The amounts will be proportionate to the State's average annual amount of Part I violent crimes, compared to that for all other States for the three most recent calendar years of data from the Federal Bureau of Investigation. However, each State will receive a minimum award of 0.25 percent of the total amount available for formula distribution under the Local Law Enforcement Block Grants Program.

Awards to units of local government will be proportionate to each local jurisdiction's average annual amount of Part I violent crimes compared to all other local jurisdictions in the State for the three most recent calendar years.

- BJA will make awards directly to units of local government when award amounts are at least \$10,000. Each unit of local government eligible to apply for an award of \$10,000 or more will be notified by BJA.
- Each State will receive the remainder of the State's allocation for local applicants whose award amounts are less than \$10,000. BJA will make one aggregate award directly to the State. The State will distribute such funds among State police departments that provide law enforcement services to units of local government and units of local government whose allotment is less than such amount in a manner which reduces crime and improves public safety.

Awards must be based on one or more of the allowable seven purpose areas. For the purposes of this program, a *unit of local government* is a town or township, village, city, or county or recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers. Further, for the purposes of this Block Grants Program the Commonwealth of Puerto Rico shall be considered a unit of local government as well as a State.

Trust Fund

Each State and unit of local government must establish a trust fund to deposit all Federal payments received under the Block Grants Program.

Administration

The State Administrative Agency (SAA) may use up to 3 percent of the total State award to pay for costs incurred in administering the Block Grants Program. The SAA should employ personnel (or acquire equivalent contractual or State-supplied resources) to perform the functions of overall management and policymaking, data collection and analysis, and administrative and fiscal

oversight. Prior to using any Block Grants Program funds for administration, the SAA must receive approval from BJA for the amount requested.

Matching Funds Requirement

The Federal funds provided under a grant for the Block Grants Program may not exceed 90 percent of the total costs of a program. The applicant's matching share must be in the form of cash. The match may be provided on an individual or aggregate basis. An aggregate match is commonly referred to as a "statewide match" and allows the match to be made entirely at the State level, on a project-by-project basis, or some combination of the two.

The amount of the required match can be computed by calculating one-ninth of the Federal portion of program costs. For example, if \$90,000 of Federal funds is requested, this amount multiplied by 1/9th requires a State or local entity to match it with \$10,000. The Federal amount (\$90,000) plus the match (\$10,000) should be combined to equal the total program cost.

Federal

Amount Match

\$90,000 x 1/9 = \$10,000

Total Program Cost \$90,000 + \$10,000 = \$100,000

The matching requirement is only applicable to the amount of the Federal award, not any interest or income derived therefrom. Any interest gained from the trust fund cannot be used to match the Federal award but must be used to add to the Federal award amount.

The SAA is responsible for ensuring that the subrecipient has available matching funds prior to submitting an application. As part of its award application, the subrecipient must certify that the funds required to pay the non-Federal portion of the cost of each program proposal will be made available for expenditure during the award period. This certification is made by including the total match amount on the application form and signing the certified assurances document. Regardless of the source of match, it must be expended during the period of the award.

The SAA and all subrecipients must maintain records that clearly show the source, the amount, and the timing of all matching contributions. **There is no waiver provision for the match.**

Any funds expended by SAA for administrative purposes are also subject to the 90/10 match requirement.

Allowable sources of the match include funds from the following:

- States and units of local government.
- Housing and Community Development Act of 1974.
- Appalachian Regional Development Act.

- Equitable Sharing Program (Federal assets forfeiture distributions to State and local officials).
- Private funds.

Award Period

Block Grants funds and any interest deriving therefrom must obligate and expend within 24 months of the date of the initial payment. The date of the initial payment is the date upon which BJA makes the award to the State and the resulting award period end date cannot be extended under any circumstance. Any Block Grants Program funds and interest that remain unobligated or unexpended at the end of 24 months from the date of the initial payment shall be returned to BJA within 27 months of the initial payment.

General Requirements

Single Point of Contact Review

Executive Order 12372 requires applicants from State and local units of government, or other organizations providing services within a State, to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this Block Grants Program has been selected for review by the State. The State SPOCs are listed in the Appendix of this application kit. Applicants must contact their State SPOC to determine whether the Block Grants Program has been selected for State review. The date that the application was sent to the State SPOC or the reason such submission is not required should be entered on the application form.

If the State SPOC requires a copy of the application, the applicant must still send the original application to BJA.

Civil Rights

All recipients of Federal grants funds are required to comply with nondiscrimination requirements contained in various Federal laws. Specifically, the statute that governs programs or activities funded by the Office of Justice Programs (OJP) (Section 809(c), Omnibus Crime Control & Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d, prohibits such discrimination, as follows:

No person in any State shall on the grounds of race, color, religion, national origin, sex [or disability]* be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title.

** Section 504 of the Rehabilitation Act of 1973 prohibits identical discrimination on the basis of disability.*

If funded, grantees must acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan approved by the Office for Civil Rights (if grantee is required to submit one pursuant to 28 CFR 42.302), is a violation of its certified assurances and may result in the suspension of funding obligation authority.

If any court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds, the recipient must agree to forward a copy of the findings to the OJP Office for Civil Rights.

Eligibility for Employment in the United States

Organizations funded under this Block Grants Program must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used by the recipient of Federal funds to verify that persons employed by the recipient, are eligible to work in the United States.

Employment Preference for Former Members of the Armed Forces

Units of local government shall give suitable preference in the employment of persons as additional law enforcement officers or support personnel to members of the Armed Forces who were separated or retired involuntarily due to the reductions in the Department of Defense.

Financial Requirements

Grant Funds Must Supplement and Not Supplant

An assurance that Block Grants funds will not be used to supplant local funding must be included in the application submitted to BJA. This certification attests that Federal funds will be used to supplement existing funds for program activities, not replace funds already appropriated for the same purpose. Potential supplanting will be the subject of postaward monitoring and audit. If there is a potential presence of supplanting, the applicant or grantee will be required to supply documentation demonstrating that the reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of federal funds. Signing the *Assurances* commits the applicant to compliance with the coordination and nonsupplanting requirements in the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Violations can result in a range of penalties, including suspension of future funds under this Block Grants Program, suspension or debarment from Federal grants, and recoupment of monies provided under this grant in addition to possible civil and/or criminal penalties.

Audits

State and local governments are subject to the Single Audit Act of 1984 and OMB Circular A-128, “Audits of State and Local Governments.”

Applicants are required to provide the period of their fiscal year and the name of their cognizant Federal agency on the application. The cognizant Federal agency is generally the agency that provides the preponderance of Federal dollars received by the grantee.

Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-free Workplace

After carefully reading the instructions provided with the form, applicants should review and sign the certification form included in this application kit. Signing this form commits the applicant to compliance with the certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying,” and 28 CFR Part 67, “Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants).” The certification will be treated as a material representation of the fact upon which reliance will be placed by the U.S. Department of Justice in awarding grants.

Suspension or Termination of Funding

BJA may suspend, in whole or in part, terminate funding for or impose another sanction on a grantee for any of the following reasons:

- Failure to comply substantially with the requirements or statutory objectives of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, Block Grants Program guidelines issued thereunder, or other provisions of Federal law.
- Failure to adhere to the requirements, standard conditions, or special conditions.
- Proposing or implementing substantial program changes to the extent that, if originally submitted, the application would not have been approved for funding.
- Failure to submit reports.
- Filing a false certification in this application or other report or document.
- Other good cause shown.

Before imposing sanctions, BJA will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt informally to resolve the problem. Hearing and appeal procedures will follow 28 CFR Part 18 of Department of Justice regulations.

Reporting Requirements

Progress Reports

Recipients of funding are required to submit an initial quarterly progress report for the first full calendar quarter, followed by semi-annual progress reports for the remainder of the grant period. The progress reports describe activities during the reporting period and the status or accomplishment of objectives as set forth in the approved grant application. Progress reports are due on the 30th day following the end of the reporting period. Examples follow:

- If the grant award date is October 1, the first report which would cover the period from October through December, would be due January 30. The next report would cover the period from January through June and would be due July 30.
- If the grant award date is November 1, the first report which would cover the period of November through March (January through March being the first full quarter the grant is operational), and would be due April 30. The next report would cover the period from April through September and would be due October 30. Subsequent reports are due every 6 months.

A final report, which provides a summary of activities and significant results from this Block Grants Program, is due 90 days after the end date of the grant. BJA will provide report forms to the grantee.

Financial Status Reports

Required financial status reports (SF 269A) are due quarterly on the 45th day following the end of each calendar quarter. A report must be submitted for every quarter the award is active. The Office of the Comptroller will provide a copy of this form in the initial award package.

Submission Requirements

The process for submission of applications under the Block Grants Program is described in detail in the instructions form included as part of this application kit.

Application Deadline

The deadline for submission of application under this Block Grants Program is **August 9, 1996**.

Appendix—OMB State Single Point of Contact (SPOC) Listing*

ARIZONA

Joni Saad
Arizona State Clearinghouse
3800 North Central Ave.
14th Floor
Phoenix, AZ 85012
Phone: (602) 280-1315
Fax: (602) 280-1305

ARKANSAS

Mr. Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Administration
1515 West 7th St., Room 412
Little Rock, AR 72203
Phone: (501) 682-1074
Fax: (501) 682-5206

ALABAMA

Jon C. Strickland
Alabama Department of Economic and
Community Affairs
Planning and Economic Development
Division
401 Adams Ave.
Montgomery, AL 36103-5690
Phone: (205) 242-5483
Fax: (205) 242-5515

CALIFORNIA

Grants Coordinator
Office of Planning & Research
1400 Tenth St., Room 121
Sacramento, CA 95814
Phone: (916) 323-7480
Fax: (916) 323-3018

DELAWARE

Francine Booth
State Single Point of Contact
Executive Department
Thomas Collins Bldg.
P.O. Box 1401
Dover, DE 19903
Phone: (302) 739-3326
Fax: (302) 739-5661

DISTRICT OF COLUMBIA

Charles Nichols
State Single Point of Contact
Office of Grants Mgmt. & Dev.
717 14th St. NW., Suite 500
Washington, DC 20005
Phone: (202) 727-6554
Fax: (202) 727-1617

FLORIDA

Florida State Clearinghouse
Department of Community Affairs
2740 Centerview Dr.
Tallahassee, FL 32399-2100
Phone: (904) 922-5438
Fax: (904) 487-2899

GEORGIA

Tom L. Reid, III
Administrator
Georgia State Clearinghouse
254 Washington St. SW., Room 401J
Atlanta, Georgia 30334
Phone: (404) 656-3855 or
(404) 656-3829
Fax: (404) 656-7938

ILLINOIS

Barbara Beard
State Single Point of Contact
Department of Commerce and Community
Affairs
620 East Adams
Springfield, IL 62701
Phone: (217) 782-1671
Fax: (217) 534-1627

INDIANA

Amy Brewer
State Budget Agency
212 State House
Indianapolis, IN 46204
Phone: (317) 232-5619
Fax: (317) 233-3323

IOWA

Steven R. McCann
Division for Community Assistance
Iowa Department of Economic
Development
200 East Grand Ave.
Des Moines, IA 50309
Phone: (515) 242-4719
Fax: (515) 242-4859

KENTUCKY

Ronald W. Cook
Office of the Governor
Department of Local Government
1024 Capitol Center Dr.
Frankfort, KY 40601-8204
Phone: (502) 573-2382
Fax: (502) 573-2512

MAINE

Joyce Benson
State Planning Office
State House Station #38
Augusta, ME 04333
Phone: (207) 287-3261
Fax: (207) 287-6489

MARYLAND

William G. Carroll
Manager, State Clearinghouse for
Intergovernmental Assistance
Maryland Office of Planning
301 West Preston St., Room 1104
Baltimore, MD 21201-2365
Staff Contact: Linda Janey
Phone: (410) 225-4490
Fax: (410) 225-4480

MICHIGAN

Richard Pfaff
Southeast Michigan Council of
Governments
1900 Edison Plaza
660 Plaza Dr.
Detroit, MI 48226
Phone: (313) 961-4266
Fax: (313) 961-4869

MISSISSIPPI

Cathy Mallette
Clearinghouse Officer
Department of Finance and Administration
455 North Lamar St.
Jackson, MS 39202-3087
Phone: (601) 359-6762
Fax: (601) 359-6764

MISSOURI

Lois Pohl
Federal Assistance Clearinghouse
Office of Administration
P.O. Box 809
Truman Bldg., Room 760
Jefferson City, MO 65102
Phone: (314) 751-4834
Fax: (314) 751-7819

NEVADA

Department of Administration
State Clearinghouse
Capitol Complex
Carson City, NV 89710
Phone: (702) 687-4065
Fax: (702) 687-3983

NEW HAMPSHIRE

Jeffrey H. Taylor
Director, New Hampshire Office of State
Planning
Attn: Intergovernmental Review Process
Mike Blake
2½ Beacon St.
Concord, NH 03301
Phone: (603) 271-2155
Fax: (603) 271-1728

NEW JERSEY

Gregory W. Adkins, Assistant
Commissioner
New Jersey Department of Community
Affairs
Please direct all correspondence and
questions about intergovernmental review to:
Andrew J. Jaskolka
State Review Process
Intergovernmental Review Unit
CN 800, Room 813A
Trenton, NJ 08625-0800
Phone: (609) 292-9025
Fax: (609) 633-2132

NEW MEXICO

Robert Peters
State Budget Division
Bataan Memorial Bldg., Room 190
Santa Fe, NM 87503
Phone: (505) 827-3640

NEW YORK

New York State Clearinghouse
Division of the Budget
State Capitol
Albany, NY 12224
Phone: (518) 474-1605

NORTH CAROLINA

Chrys Baggett, Director
North Carolina State Clearinghouse
Office of the Secretary of Admin.
116 West Jones St.
Raleigh, North Carolina 27603-8003
Phone: (919) 733-7232
Fax: (919) 733-9571

NORTH DAKOTA

North Dakota Single Point of Contact
Office of Intergovernmental Assistance
600 East Boulevard Ave.
Bismarck, ND 58505-0170
Phone: (701) 224-2094
Fax: (701) 224-2308

OHIO

Larry Weaver
State Single Point of Contact
State Clearinghouse
Office of Budget and Management
30 East Broad St., 34th Floor
Columbus, OH 43266-0411
Please direct correspondence and questions
about intergovernmental review to:
Linda Wise
Phone: (614) 466-0698
Fax: (614) 466-5400

RHODE ISLAND

Daniel W. Varin
Associate Director
Department of Administration
Division of Planning
One Capitol Hill, 4th Floor
Providence, RI 02908-5870
Phone: (401) 277-2656
Fax: (401) 277-2083
Please direct correspondence and questions
to: Review Coordinator
Office of Strategic Planning

SOUTH CAROLINA

Omeagia Burgess
State Single Point of Contact
Grant Services
Office of the Governor
1205 Pendleton St., Room 477
Columbia, SC 29201
Phone: (803) 734-0494
Fax: (803) 734-0385

TEXAS

Tom Adams
Governors Office
Director, Intergovernmental Coordination
P.O. Box 12428
Austin, TX 78711
Phone: (512) 463-1771
Fax: (512) 463-1888

UTAH

Carolyn Wright
Utah State Clearinghouse
Office of Planning and Budget
State Capitol, Room 116
Salt Lake City, UT 84114
Phone: (801) 538-1535
Fax: (801) 538-1547

VERMONT

Nancy McAvoy
State Single Point of Contact
Pavilion Office Bldg.
109 State St.
Montpelier, VT 05609
Phone: (802) 828-3326
Fax: (802) 828-3339

WEST VIRGINIA

Fred Cutlip, Director
Community Development Division
West Virginia Development Office
Bldg. #6, Room 553
Charleston, WV 25305
Phone: (304) 558-4010
Fax: (304) 558-3248

WISCONSIN

Martha Kerner
Section Chief, State/Federal Relations
Wisconsin Department of Administration
101 East Wilson St., 6th Floor
P.O. Box 7868
Madison, WI 53707
Phone: (608) 266-2125
Fax: (608) 267-6931

WYOMING

Sheryl Jeffries
State Single Point of Contact
Office of the Governor
State Capitol, Room 124
Cheyenne, WY 82002
Phone: (307) 777-5930
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TERRITORIES

GUAM

Mr. Giovanni T. Sgambelluri
Director
Bureau of Budget and Management
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Agana, GU 96910
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PUERTO RICO

Norma Burgos/Jose E. Caro
Chairwoman/Director
Puerto Rico Planning Board
Federal Proposals Review Office
Minillas Government Center
P.O. Box 41119
San Juan, PR 00940-1119
Phone: (809) 727-4444 or
(809) 723-6190
Fax: (809) 724-3270 or
(809) 724-3103

NORTH MARIANA ISLANDS

Mr. Alvaro A. Santos, Executive Officer
Office of Management and Budget
Office of the Governor
Saipan, MP 96950
Phone: (670) 664-2256
Fax: (670) 664-2272
Contact person: Ms. Jacoba T. Seman
Federal Programs Coordinator
Phone: (670) 664-2289
Fax: (670) 664-2272

VIRGIN ISLANDS

Jose George
Director, Office of Management and
Budget
#41 Norregade Emancipation Garden
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St. Thomas, VI 00802
Please direct all questions and
correspondence about intergovernmental
review to: Linda Clarke
Phone: (809) 774-0750
Fax: (809) 776-0069

* In accordance with Executive Order Number 12372, "Intergovernmental Review of Federal Programs," this listing represents the designated State Single Points of Contact. Jurisdictions not listed no longer participate in the intergovernmental review process but MAY still apply for grants. These include Alaska, American Samoa, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Virginia, and Washington. This list is based on the most current information provided by the States. Changes to the list will only be made upon formal notification by the State. Also, this listing is published biannually in the Catalog of Federal Domestic Assistance.